

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

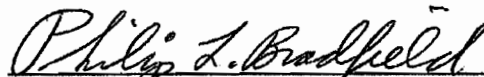
ROBERT P. NESTLER,	)	
Plaintiff,	)	
v.	)	Civil Action No. 05-1151
	)	
CSX TRANSPORTATION, INC., a foreign	)	The Hon. Gary L. Lancaster
corporation,	)	
Defendants.	)	<b><u>JURY TRIAL DEMANDED</u></b>

**RULE 41(a) STIPULATION OF DISMISSAL WITH PREJUDICE**

AND NOW, Come the parties to this action, by and through their respective counsel of record, and pursuant to Federal Rule of Civil Procedure 41(a), hereby stipulate and agree to the dismissal, with prejudice, of this action.

It is so stipulated and agreed to by,

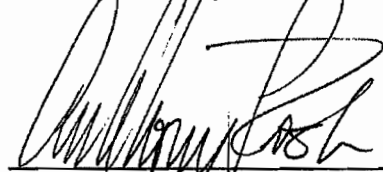
Moody, Stroppe, Kloeppel, Basilone  
& Higginbotham, Inc.



Philip L. Bradfield, Esquire  
500 Crawford Street  
Suite 300  
P. O. Box 1138  
Portsmouth, VA 23704  
Tele.: (757) 393-4093  
Fax.: (757) 397-7257  
Email: pbradfield@moodyrrlaw.com  
Counsel for Plaintiff

It is so stipulated and agreed to by,

Dickie, McCamey & Chilcote, P.C.



Anthony J. Rash, Esquire  
Pa. I.D. #55944  
Dickie, McCamey & Chilcote, P.C.  
Two PPG Place – Suite 400  
Pittsburgh, PA 15222  
Tele.: (412) 392-5222  
Fax.: (412) 392-5367  
Email: arash@dmclaw.com  
Counsel for Defendant

SO ORDERED, this 9<sup>th</sup> day of March, 2007.



Gary L. Lancaster, U.S. District Judge